

Att'y Dkt. No. 4031.002U.S. App. No: 10/797,319REMARKS

In October 8, 2004 Office Action, the Examiner objected to claim 8 as lacking antecedent basis, rejected claims 14-18 under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 3,454,051 to Goepfert; rejected claims 1-4 and 7-13 under 35 U.S.C. § 103(a) as being anticipated by Goepfert; rejected claims 5-6 under 35 U.S.C. §103(a) as being obvious over Goepfert in view of U.S. Patent No. 4,648,745 to Hulsbergen; rejected claim 19 under 35 U.S.C. §103(a) as obvious over Goepfert in view of JP-07318275-A to Sanden Corp.

Applicant has amended claim 8 to correct its dependency to depend from claim 2 rather than claim 4. Applicant submits that this amendment corrects the lack of antecedent basis identified by the Examiner.

Applicant respectfully traverses the Examiner's rejections of claims 14-18 under §102 and claims 1-13 under §103. Specifically, Applicant does not believe the helical structure of Goepfert constitutes "over dead center." Nevertheless, Applicant has amended claim 1, 12 and 14 to recite that the first protruding part is "substantially parallel to said length of pipe" to distinguish the claim from a helical structure such as is shown in Goepfert. Claims 2-6, 7-11, 13 and 15-18 are distinguishable from Goepfert for the same reasons stated with respect to their respective parent claims.

Applicant respectfully traverses the Examiner's rejected of claim 19 under §103 as obvious over Goepfert in view of Sanden Corp. First, there is absolutely no motivation for combining the plurality of grooves of Sanden Corp., which is a heat exchanger, with the helical structure of Goepfert. In fact, the helical structure of Goepfert would seem to eliminate any use or need for multiple grooves spaced radially from one another. Nevertheless, Applicant has amended claim 19 to recite a template seat, which is not shown in any of the references relied upon by the examiner and recited that the grooves are

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substantially parallel to one another, thereby distinguishing a helical structure such as is shown in Goepfert.

Applicant additionally has added new claims 20-22 that depend from claim 19.

***Conclusion***

For at least the foregoing reasons, Applicant respectfully submits that the present patent application is in condition for allowance. An early indication of the allowability of the present patent application is therefore respectfully solicited.

If the Examiner believes that a telephone conference with the undersigned would expedite passage of the present patent application to issue, he is invited to call on the number below.

If any fees are due in connection with this response, including fees for any necessary extensions of time or new claims, such additional fees may be charged to Deposit Account No. 50-2837.

Respectfully submitted,

DEWITT ROGGIN PLLC

By:   
Timothy R. DeWitt  
Registration No. 35,857

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DeWitt Roggin PLLC  
12 E. Lake Dr.  
Annapolis, MD 21403  
Tel: 703-340-1686  
Fax: 703-340-1687